

17236 U.S. PTO
022704

PATENT APPLN. TRANSMISSION
CORPORATIONS (SMALL BUSINESSES)

DOCKET NO. SPIN 2 13195-1

19270 U.S. PTO
10/788770
022704

COMMISSIONER FOR PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a request for the filing of a:

- ☐ Original (nonprovisional) Patent Application - 37 C.F.R. 1.53(b).
☒ Continuation Patent Application - 37 C.F.R. 1.53(b)(1).
☐ Divisional Patent Application - 37 C.F.R. 1.53(b)(1).
☐ Continuation-in-part Patent Application (C-I-P) - 37 C.F.R. 1.53(b)(2).
☐ Continued Prosecution Application (CPA) ☐ Continuation; ☐ Divisional - 37 C.F.R. 1.53(d).

Transmitted herewith for filing under 37 C.F.R. 1.53 is the patent application entitled: _____

MOLDED SURGICAL IMPLANT

☒ The inventor(s) of the subject patent application are as follows: Robert S. Biscup

☒ The application is assigned to: Spineco, Inc., a corporation of Ohio

This application is not to be published under 35 U.S.C. 122(b). It is certified that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☒ This patent application claims the benefit of prior application(s) under 35 U.S.C. § 119/120:

USA	09/971,395	October 5, 2001
Country	Appln. No.	Filed
USA	60/286,073	April 24, 2001
Country	Appln. No.	Filed
USA	60/250,831	December 4, 2000
Country	Appln. No.	Filed

Amend the specification by inserting before the first line the sentence: --- This patent application is a _____ continuation, _____ division, _____ continuation-in-part of application Serial No. _____ filed on _____, and incorporated herein by reference. ---.

Enter the Amendment filed on _____ in the prior application in accordance with 37 C.F.R. 1.116.

Cancel claims _____ without prejudice.

"Express Mail" Mailing Label Number EV340033668 US

Date of Deposit 02-27-04

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

R. Cox
(TYPED OR PRINTED NAME OF SENDER)

R. Cox
(SIGNATURE)

Enclosed are:

☒ 49 Pages of the specification, abstract and claims.

☒ 4 Sheets of drawings.

☒ Declaration or Oath.

☐ A certified copy of application(s): _____
from which priority is claimed.

☒ A preliminary amendment.

☐ New drawings.

☒ Information Disclosure Statement (37 C.F.R. 1.98).

☒ Form PTO-1449.

☐ Copies of the Form PTO-1449 citations.

☒ The Power of Attorney in the application is to:

Robert V. Vickers (Reg. No. 19,504), E. Kent Daniels, Jr. (Reg. No. 19,598),
Thomas E. Young (Reg. No. 28,924), and Brian E. Turung (Reg. No. 35,394)

a. ☐ The power is enclosed herewith.

b. ☒ The power appears in the original papers
of the prior application.

c. ☐ Recognize as associate attorney and
address all future communications to:

☒ Address all correspondence to the undersigned at the address set forth below in accordance with the Power of Attorney.

The fee has been calculated as shown below.

For	Claims as Filed			
	Number Filed	Number Extra	Rate	Basic Fee \$385.00
Total Claims	24 -20 =	4	x \$9	\$ 36.00
Independent Claims	1 - 3 =	0	x \$43	\$ 0.00
		Total Filing Fee --->		\$421.00

☐ Assignment (\$40.00).

☒ A check in the amount of \$ 421.00 to cover the required fees is enclosed.

☒ General Authorization to Charge Deposit Account For All Required Fees, Fees Under 37 C.F.R. 1.17,

or All Required Extension of Time Fees. Should any additional fees be required in connection with this application, **during the entire pendency of the application**, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-0308. This transmission form is submitted in triplicate.

FAY, SHARPE, FAGAN, MINNICH & McKEE

By: 

BRIAN E. TURUNG

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